

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

DOUGLAS GAINZA CESPEDES

Petitioner,

v.

I.C.E. c/o UNITED STATES  
OF AMERICA,

Respondent.

CIVIL ACTION NO.: CV512-098

ORDER

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

The Petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, is **DISMISSED**, without prejudice, due to Petitioner's failure to exhaust his available administrative remedies. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 14 day of December, 2012.

  
LISA GODBEY WOOD, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA